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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2494/2024**
SH VIKRANT DHAWAN & ORS. Petitioners
Through: **Ms.Madhu Rani, Adv.**

versus

THE STATE NCT OF DELHI AND ANR. Respondents
Through: **Mr.Satinder Singh Bawa, APP**
with SI Parmender Kumar
Ms.Shivangi Dubey, Mr.Vivek
Shokeen, Ms.Seema and
Mr.Chirag Arora, Advs. for R-2
along with R-2 in person.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **28.03.2024**
CRL.M.A. 9486/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 2494/2024 & CRL.M.A. 9485/2024

2. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking quashing of FIR No.43/2018 registered at Police Station: Rani Bagh, Outer District, Delhi under Sections 498A/406/34 of the Indian Penal Code, 1860 (in short, 'IPC'), along with all other proceedings arising therefrom, on the basis of a settlement.

3. Issue notice.

4. Notice is accepted by Mr.Satinder Singh Bawa, learned APP for the State and by Ms.Shivangi Dubey, learned Advocate on behalf of



the respondent no.2.

5. The learned counsel for the petitioners submits that the subject FIR was an offshoot of the matrimonial discord between the parties, that is, the petitioner no.1 and the respondent no.2.

6. The learned counsel for the petitioners submits that the parties, that is, the petitioner no.1 and the respondent no.2 have amicably settled all their *inter se* disputes before Delhi Mediation Centre, Tis Hazari Courts, Delhi vide Mediation Settlement dated 13.09.2023.

7. Pursuant to the above settlement, the parties have also obtained a Decree of Divorce dated 05.01.2024 from the learned Judge, Family Court, North-West District, Rohini, Delhi, by which the parties have decided to part their ways by mutual consent.

8. The respondent no.2 is personally present in Court and has been duly identified by the Investigating Officer (IO). She reaffirms that she has settled all the disputes with the petitioners out of her own free will and without any coercion. She states that she has received a Demand Draft of Rs. 2 Lacs from the petitioners as per the terms of the settlement. The respondent no.2 submits that she has no objection if the present FIR is quashed.

9. I have perused the contents of the FIR and also the settlement between the parties.

10. Keeping in view the fact that the respondent no.2 does not wish to pursue her complaint any further, and that a Decree of Divorce has also been obtained by the parties pursuant to the settlement, as also the Settlement arrived at between the parties, I find that no useful purpose shall be served in continuing with the proceedings of the present FIR



as the chances of its success will be rather minuscule and it would rather create further acrimony between the parties and will be an unnecessary burden on the State exchequer.

11. Guided by the principles enunciated by the Supreme Court in its judgments in *Jitendra Raghuvanshi v. Babita Raghuvanshi*, (2013) 4 SCC 58; *Gian Singh v. State of Punjab*, (2012) 10 SCC 303; *Parbatbhai Aahir @ Parbatbhai Bhimsinbhai Karmur & Ors. v. State of Gujarat & Ors.*, (2017) 9 SCC 641; and, *State of Haryana & Ors. v. Bhajan Lal & Ors.*, 1992 Supp (1) SCC 335, this Court deems it appropriate, in the interest of justice, to exercise its inherent powers under Section 482 of the Cr.P.C. to quash the FIR and all the proceedings emanating therefrom.

12. Accordingly, the petition is allowed. FIR No.43/2018 registered at Police Station: Rani Bagh, Outer District, Delhi under Sections 498A/406/34 of the IPC and all consequential proceedings emanating therefrom against the petitioners are quashed. The pending application is also disposed of as being rendered infructuous.

NAVIN CHAWLA, J

MARCH 28, 2024/ns/AS

[Click here to check corrigendum, if any](#)